

## Message Text

CONFIDENTIAL

PAGE 01 STATE 027786

50 6560

ORIGIN PM-03

INFO OCT-01 DODE-00 L-02 EUR-12 EA-06 CIAE-00 INR-07

NSAE-00 ISO-00 /031 R

DRAFTED BY: PM/ISO: FJFLEMINGS/SAFGC:MR ALLEN

APPROVED BY PM/ISO: GTCHURCHILL

OSD/ISA/EUR -COL WALLACE

L/PM - MR BOREK

EUR/WD - R P GALLAGHER

OSD/ISA/EA - MR RIDGE

ED/ANP - MR MICHAUD

----- 126060

P 062258Z FEB 75

FM SECSTATE WASHDC

TO AMEMBASSY ROME

AMEMBASSY WELLINGTON PRIORITY

INFO ADC ENT AFB COLO PRIORITY

14TH AEROF ENT AFB COLO PRIORITY

C O N F I D E N T I A L STATE 027786

C O R R E C T E D C O P Y (LINE 4, PARA 2 - SHOULD READ 1968  
VICE 2968. LINE 5, PARA 2 OMITTED)

E.O. 11652: GDS

TAGS: MARR, TSPA, NZ, IT

SUBJECT: CIVILIAN OPERATION OF BAKER-NUNN STATIONS

REFS: (A) STATE 264607; (B) WELLINGTON 3773.

1. SINCE DISPATCH OF REF A, USAF HAS DETERMINED THAT  
BECAUSE THE INITIAL PRODUCTION CONTRACTOR FOR THE  
BAKER-NUNN CAMERA, JOESPH A. NUNN AND ASSOCIATES, HOLDS  
PROPRIETARY DATA RIGHTS TO THE BASIC CAMERA SYSTEM, USAF  
IS LIMITED TO SOLE SOURCE (SOLICITATION OF PROPOSAL  
FROM NUNN AND ASSOCIATES FOR O AND M OF THE BAKER-NUNN  
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 027786

STATIONS AT MT. JOHN AND SAN VITO. ACCORDINGLY,

EMBASSIES ARE REQUESTED TO ADVISE RESPECTIVE GOVERNMENT AUTHORITIES THAT FOR THIS REASON USAF IS UNABLE TO SOLICIT BIDS FROM NEW ZEALAND OR ITALIAN FIRMS.

2. FOR WELLINGTON: IN EVENT GNZ TAKES POSITON ANTICIPATED BY EMBASSY IN PARA 4 REF B, EMBASSY SHOULD REPLY THAT USG CONSIDERS ONLY PARAS 4 (CRIMINAL JURISDICTION) AND 5 (CLAIMS) OF 1968 BAKER-JUNN MOU (TIAS 6539) INAPPROPRIATE FOR CONTRACTOR OPERATION OF FACILITY. US MILITARY AUTHORITES HAVE NO CRIMINAL JURISDICTION OVER CONTRACTOR PERSONNEL AND US LEGISLATION DOES NOT AUTHORIZE USG PAYMENT OF CLAIMS ARISING FROM THE ACTIVITIES OF CONTRACTOR PERSONNEL. THE CONTRACTOR MAY BE REQUIRED TO OBTAIN LAIBILITY INSURANCE TO COVER SUCH CLAIMS HOWEVER.

3. ON THE OTHER HAND, USG CONSIDERS PARA 3 OF MOU, DEALING WITH TAX, FISCAL AND OTHER EXEMPTIONS FOR US PERSONNEL, ENTIRELY APPROPRIATE FOR ADAPTATION TO CONTRACTOR OPERATION OF FACILITY WHERE CONTRACTOR AND CONTRACTOR PERSONNEL ARE US CITIZENS PRESENT IN NEW ZEALAND SOLEY FOR PURPOSES OF AGREEMENT. USG HAS SOUGHT AND RECEIVED SIMILAR TREATMENT FOR ITS CITIZEN CONTRACTORS AND CONTRACTOR PERSONNEL ELSEWHERE AND, IN EVENT CONTRACTOR OPERATION IS DETERMINED TO BE DESIRABLE, WOULD WISH SAME TO BE AFFORDED IN AMENDED AGREEMENT WITH GNZ. EXEMPTION FROM NEW ZELAND INCOME TAXATION WOULD NOT, OF COURSE, BE APPROPRIATE IN CASE OF NEW ZELAND EMPLOYEES OF CONTRACTOR SINCE THEY WOULD NOT BE IN NEW ZELAND SOLELY IN CONNECTION WITH BAKER-NUNN PROGRAM AND SINCE PAYMENT OF SUCH TAXES IS NORMAL OBLIGATIO OF SUCH PERSONS.

4. REQUEST STATUS REPORT ON GNZ POSITON ON CONTRACTOR OR CIVILIAN OPERATION OF MT. JOHN FACILITY.

5. FOR ROME: REQUEST REPLY TO REFTEL A.  
KISSINGER

CONFIDENTIAL

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** EMPLOYMENT, PERSONNEL, MONITORING FACILITIES, CONTRACTS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 06 FEB 1975  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** greeneet  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1975STATE027786  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** PM/ISO: FJFLEMINGS/SAFGC:MR ALLEN  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
**Film Number:** D750044-0811  
**From:** STATE  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1975/newtext/t19750265/aaaacgjr.tel  
**Line Count:** 99  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ORIGIN PM  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** n/a  
**Reference:** 75 STATE 264607, 75 WELLINGTON 3773  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** greeneet  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 04 JUN 2003  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <04 JUN 2003 by ElyME>; APPROVED <14 OCT 2003 by greeneet>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
05 JUL 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** CIVILIAN OPERATION OF BAKER-NUNN STATIONS  
**TAGS:** MARR, TSPA, NZ, IT, BAKER-NUNN CAMERA  
**To:** ROME WELLINGTON  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006